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McGuireWoods LLP
1750 Tysons Blvd, Suite 1800
McLean, VA 22102

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OFFICE OF PETITIONS

In re Application of :
Jang et al. :
Application No. 10/761,414 :
Filed: January 22, 2004 : ON PETITION
Attorney Docket Number: 6192.0166.C1 :

This is a decision on the Petition Under 37 CFR 1.78, filed July 8, 2004. which is properly treated as a petition under 37 CFR 1.78(a)(3), to accept an unintentionally delayed claim under 35 U.S.C § 120 for the benefit of priority to prior filed nonprovisional application, number 09/709,312, filed November 13, 2000, and now U.S. Patent No. 6,683,666.

This Petition is hereby **dismissed as moot.**

In the instant case, the Office recognized the claim for benefit of prior-filed nonprovisional application, number 09/709,312, filed November 13, 2000, and now U.S. Patent No. 6,683,666, said claim appearing in the Utility Patent Application Transmittal Letter, filed with the instant application on January 22, 2004. In view thereof, a petition under 37 CFR 1.78(a)(3) is unnecessary.

Accordingly, the \$1330.00 petition fee will be credited to Deposit Account number 23-1951 as authorized via telephone with the attorney filing the instant petition.

An electronic message will be forwarded to Technology Center Art Unit 2871 regarding this Decision, and for continued examination in due course.

Telephone inquiries concerning this matter should be directed to Petitions Attorney Derek L. Woods at (703) 305-0014.

Charles A. Pearson
Director
Office of Petitions